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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/818,545

03/28/2001

Shuntaro Aratani

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07/23/2007

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EXAMINER

SALCE, JASON P

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

07/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/818,545

Applicant(s)

ARATANI ET AL.

Examiner

Jason P. Salce

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 59, 61, 66-68, 70, 75 and 76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 59, 61, 66-68, 70, 75 and 76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/5/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 59, 61, 66-68, 70 and 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (U.S. Patent No. 5,978,013) in view of Lawler et al. (U.S. Patent No. (U.S. Patent No. 5,699,107).

Referring to claim 1, Jones discloses a data-broadcasting receiving apparatus (see Figures 3-4 for two different types (antenna and cable) of data-broadcasting receiving devices).

Jones also discloses a receiving means for receiving data-broadcasting data including a plurality of information (see antenna 133 or cable input to tuner 76 in Figures

3-4), the data-broadcasting data being output onto a display means (see display means 124 or output to TV 92 in Figures 3-4).

Jones also discloses extracting means for automatically extracting information from the data-broadcasting data received by said receiving means (see tuner 76 in Figures 3-4 and Column 7, Line 53 through Column 8, Line 23 for receiving coupon data from CC decoder 84, which received the tuned channel from tuner 76 in Figure 3), in accordance with a predetermined condition (see Column 8, Lines 5-12 for selecting a channel for the tuner to tune to and process the coupon data).

Jones also discloses generating means for laying out the information extracted by said extracting means by calculating a printing position (see Column 6, Lines 64 through Column 7, Line 15 for receiving the coupon data and Column 9, Line 49 through Column 10, Line 6 for processing the coupon data and calculating the printing position by properly storing each portion of coupon data into specific portions of image memory (see Column 10, Lines 4-6)) in accordance with a predetermined expression (see again Column 9, Lines 49 through Column 10, Line 6 for calculating the printing position according to the specific coupon data (predetermined expressions) received), and generating print data for printing out the laid-out information (see Column 10, Lines 16-18).

Jones also discloses output means for outputting to a printing means the print data generated by said generating means (see Column 10, Lines 22-30).

Jones fails to disclose a reservation setting means for reserving an operation of said receiving means so as to receive the data-broadcasting data at a predetermined time.

Lawler discloses allowing a viewer to set a reminder to view a program and when the time of the program is determined, tuning the tuner to the preferred program to viewer at the predetermined time (see Column 11, Line 30 through Column 13, Line 16).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the broadcast receiving device, as taught by Jones, using the reminder functionality, as taught by Lawler, for the purpose of allowing a user to quickly and easily select a future program for later reminding (see Column 1, Lines 11-12 and Column 2, Lines 9-10 of Lawler).

Referring to claim 61, see the rejection of claim 59 and further note that the combination of Jones and Lawler teach performing the extracting, generating and output steps in response to receiving the selected video program at the predetermined time. If the video program is not received (channel tuned to), Jones would have no data to process.

Referring to claim 66, see the rejection of claims 59 and 61. The examiner further notes that the assigning means is met at Column 9, Line 49 through Column 10, Line 6 for assigning codes to the image memory based on the coupon data extracted by the extracting means.

Referring to claim 67, Jones discloses that said assigning means assigns the code to at least one of processes relative to the information extracted by said extracting means (see again Column 9, Line 49 through Column 10, Line 6), including a display of images including at least still images and moving images (video programs), a display of text information denoting at least characters and patterns (see Figure 9), a voice output (audio from the video program) and a program execution (the processing of the video programs tuned to by the tuner and extraction and printing of coupon data).

Referring to claims 68 and 70, see the rejection of claims 59 and 61, respectively.

Referring to claims 75-76, see the rejection of claims 66-67, respectively.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Salce
Primary Examiner
Art Unit 2623

July 19, 2007

JASON SALCE
PRIMARY PATENT EXAMINER

A handwritten signature in cursive script, appearing to read "Jason Salce", is written over the printed name and title.